

**REMARKS**

Applicants thank the Examiner for the thorough consideration given the present application. Claims 7-11, 13-20, and 22-28 are pending in this application. Claim 21 is canceled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 17-19 are independent. Claims 17-19 and 22 are amended.

Reconsideration of this application, as amended, is respectfully requested.

**Reasons for Entry of Amendments**

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by canceling claim 21. This Amendment was not presented at an earlier date in view of the fact that the Examiner has presented new grounds of rejection in this Final Office Action.

**Claim for Priority**

The Examiner is requested to acknowledge Applicants' claim for foreign priority under 35 U.S.C. §119 and receipt of the certified copy of the priority document filed with the application on September 8, 2000.

**Information Disclosure Statement**

The Examiner has acknowledged the Information Disclosure Statement was filed on September 16, 2003 and has returned an initialed copy of Form PTO 1449.

**Rejections under 35 U.S.C. §103(a)**

Claims 7-11, 14, 17, 19-23, 26, and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakaya et al. (U.S. Patent No. 5,684,884) in view Szilagyi et al (U.S. Patent No. 6,396,197); and

Claims 13, 15-16, 18, 24-25, and 27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Nakaya et al. (U.S. Patent No. 5,684,884) in view of Davis et al (U. S. Patent 6,345,102) and Szilagyi et al (U.S. Patent No. 6,396,197).

These rejections are respectfully traversed.

While not conceding the appropriateness of the Examiner's amendment, independent claims 17, 18, and 19 are each amended as shown below to recite a combination of elements not disclosed or suggested by the references cited by the Examiner.

**Amendments to Claims 17 and 18**

In particular, independent claim 17 is amended herein to recite a combination of elements directed to a piezoelectric speaker, including a frame having an opening therein, the opening extending between a back surface and a front surface of the frame;

a piezoelectric film having a surface area larger than the opening in said frame, the piezoelectric film being located on said back surface of said frame and covering said opening so that a central portion of the piezoelectric film covering said opening is exposed to a front surface of the frame through said opening; and

a laminating film attached to edges of said back surface of said frame and covering an entire surface of said piezoelectric film for protecting a back surface and outer edges of said piezoelectric film.

In addition, independent claim 18 is amended herein to recite a combination of elements directed to a piezoelectric speaker, including a frame having an opening therein, the opening extending between a back surface and a front surface of the frame;

a piezoelectric film having a surface area larger than the opening in said frame, the piezoelectric film being located on said back surface of said frame and covering said opening; and

a laminating film attached to said back surface of said frame and covering said piezoelectric film, outer edges of the laminating film extending beyond outer edges of the piezoelectric film in order to protect the piezoelectric film.

Full support for the novel features set forth in claims 17 and 18 can be found in the specification, for example on page 5 lines 3-7. See also FIGS. 4 and 5 which clearly show a frame having an opening therein, the opening extending between a back surface and a front surface of the frame; a piezoelectric film having a surface area larger than the opening in said

frame, the piezoelectric film being located on said back surface of said frame and covering said opening so that a central portion of the piezoelectric film covering said opening is exposed to a front surface of the frame through said opening; a laminating film attached to edges of said back surface of said frame and covering an entire surface of said piezoelectric film for protecting a back surface and outer edges of said piezoelectric film (as set forth in claim 17), and

a frame having an opening therein, the opening extending between a back surface and a front surface of the frame; a piezoelectric film having a surface area larger than the opening in said frame, the piezoelectric film being located on said back surface of said frame and covering said opening; a laminating film attached to said back surface of said frame and covering said piezoelectric film, outer edges of the laminating film extending beyond outer edges of the piezoelectric film in order to protect the piezoelectric film (as set forth in claim 18).

In contrast to the presently claimed invention, Nakaya et al. merely disclose a piezoelectric device 14, 16 fitted within an opening of frame 10, and merely disclose protective film 9 which fails to extend beyond outer edges of the piezoelectric device 14, 16.

Further, the Applicants also respectfully submit that each of Davis et al. and Szilagyi et al. fail to make up for the deficiencies of Nakaya et al.

In view of the above amendments and remarks, the Applicants respectfully submit the Examiner has failed to make a *prima facie* case of obviousness in the rejection of independent claims 17 and 18.

Thus, it is respectfully submitted that the combination of elements set forth in each of independent claims 17 and 18 as amended herein are not disclosed or made obvious by the prior art of record, including Nakaya et al., Davis et al., and Szilagyi et al.

In view of the foregoing, it is respectfully submitted that independent claims 17 and 18 are in condition for allowance.

Applicants respectfully request withdrawal of the rejection of claims 17 and 18 as being unpatentable over the combination of Nakaya et al. and Szilagyi et al.

**Amendments to Claim 19**

Independent claim 19 is amended herein to recite a combination of elements directed to a speaker system, including a piezoelectric film speaker functioning as a main surface, oscillating in response to an input signal and having a peripheral portion thereof supported by a pair of frame pieces which clamp together over back and front surfaces of the peripheral portion of the piezoelectric film, thereby holding the piezoelectric film speaker between the pair frame pieces.

Full support for the novel features claimed in claim 19 can be found in the specification, for example on page 6, lines 6-11, and page 8, lines 4-8. See also FIGS. 7, 8, 10, and 12 which clearly show a piezoelectric film speaker having a peripheral portion thereof supported by a pair of frame pieces which clamp together over back and front

surfaces of the peripheral portion of the piezoelectric film, thereby holding the piezoelectric film speaker between the pair frame pieces.

A careful review of the references cited by the Examiner (Nakaya et al. and Szilagyi et al.) indicates that neither of these documents discloses or makes obvious a piezoelectric film speaker having a peripheral portion thereof supported by a pair of frame pieces which clamp together over back and front surfaces of the peripheral portion of the piezoelectric film, thereby holding the piezoelectric film speaker between the pair frame pieces, as set forth in independent claim 19 of the present invention.

In view of the foregoing, it is respectfully submitted that independent claim 19 is in condition for allowance.

Applicants respectfully request withdrawal of the rejection of claim 19 as being unpatentable over the combination of Nakaya et al. and Szilagyi et al.

Independent claims 17-19 are in condition for allowance. Since the dependent claims depend directly or indirectly from allowable independent claims 17-19, they are also allowable due to their dependence on allowable independent claims, or due to the additional features provided by these claims.

Thus, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

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Response to Office Action dated February 26, 2004

Attorney Docket No. 0505-0673P  
Group Art Unit 2643  
Page 13 of 13

**CONCLUSION**

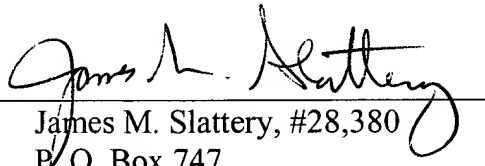
All the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants, therefore, respectfully request that the Examiner reconsider the outstanding objection and rejection and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

However, if there are any outstanding issues, the Examiner is invited to telephone Carl T. Thomsen, Reg. No. 50,786, at 703-205-8000 in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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